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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MEDEVA PHARMA SUISSE A.G. and PROCTER & GAMBLE PHARMACEUTICALS, INC., Plaintiffs, v. ROXANE LABORATORIES, INC., Defendant.	Civil Action No. 07-5165 (FLW)(TJB) *Document electronically Filed)*

DECLARATION OF SHEILA F. MCSHANE IN SUPPORT OF MOTION TO SEAL THE COURT'S LETTER ORDER OF JUNE 23, 2009

I, SHEILA F. MCSHANE, ESQ., of full age, hereby certify as follows:

1. I am an attorney at law of the State of New Jersey, where I am a member in good standing of the bar. I am a director at the firm of Gibbons P.C., co-counsels for Plaintiffs.

2. The materials that Plaintiffs seek to seal is located in the Court's Letter Order of June 23, 2009 as to Plaintiffs' Motion to Disqualify Dr. Alan Safdi as an Expert (Docket Entry 87), which contains or references documents and associated information that is "Confidential" and "Highly Confidential" pursuant to a Stipulated Protective Order executed by the parties, and entered in this action by the Honorable Tonianne J. Bongiovanni, U.S.M.J. on May 21, 2008.

3. Under the terms of the Stipulated Protective Order the materials designated "Confidential" include: (a) all copies, extracts, and complete or partial summaries prepared from CONFIDENTIAL Material; (b) portions of deposition transcripts and exhibits thereto that contain, summarize, or reflect the content of any such CONFIDENTIAL Material; (c) portions of briefs, memoranda, or any other writings filed with the Court and exhibits thereto that contain, summarize, or reflect the content of any such CONFIDENTIAL Material; (d) written discovery responses and answers that contain, summarize, or reflect the content of any CONFIDENTIAL Material; and (e) deposition testimony designated in accordance with paragraphs 11-12 of the Stipulated Protective Order. Under the terms of the Stipulated Protective Order, materials designated as "Highly Confidential" shall include, for example, (a) all copies, extracts, and complete or partial summaries prepared from HIGHLY CONFIDENTIAL Material; (b) portions of deposition transcripts and exhibits thereto that contain, summarize, or reflect the content of any such HIGHLY CONFIDENTIAL Material; (c) portions of briefs, memoranda, or any other writings filed with the Court and exhibits thereto that contain, summarize, or reflect the content of any HIGHLY CONFIDENTIAL Material; (d) written discovery responses and answers that contain, summarize, or reflect the content of any such HIGHLY CONFIDENTIAL Material; and (e) deposition testimony designated in accordance with Paragraphs 11-12 of the Stipulated Protective Order.

4. I make this Certification based upon my knowledge in support of the Motion to Seal Materials. Sealing is sought for portions of the following document:

- ***Letter Order of June 23, 2009 as to Plaintiffs' Motion to Disqualify Dr. Alan Safdi as an Expert***

  Portions of Pages 3 and 5.

5. This patent action involves confidential information that the parties have a legitimate interest in protecting as confidential because their competitors in the marketplace could utilize the information to gain an unfair competitive advantage to the detriment of the parties.

6. The interests of the parties that are believed to warrant confidential treatment of the materials include that alleged valuable information would be lost where business competitors would gain an unfair advantage over the parties if these competitors were to gain access to the materials and the commercially sensitive, proprietary and/or trade secret information contained in them.

7. The interests of the public that are believed to warrant granting the Motion for an Order to Seal Materials include the interest of not burdening litigants' access to the Court by requiring public disclosure of alleged valuable confidential information as a condition of litigating their rights.

8. It is believed that the clearly defined and serious injury that would result should the Motion for an Order to Seal Materials not be granted is that alleged valuable information created at substantial expense would be lost. It is believed that alleged confidential business information and strategies would be revealed to their competitors and these competitors would unjustly gain the ability to thwart, anticipate or usurp those plans and strategies to the competitors' advantage and the parties' loss.

9. It is believed that no less restrictive alternative is available to prevent the defined and serious injury to the parties.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

s/Sheila F. McShane
Sheila F. McShane

Dated: July 8, 2009
Newark, New Jersey